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10/758,198	01/16/2004	Nobuyuki Tonegawa	00862.023404.	4895

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EXAMINER	
RILEY, MARCUS T	
ART UNIT	PAPER NUMBER
2625	
MAIL DATE	DELIVERY MODE
06/14/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/758,198	TONEGAWA, NOBUYUKI	
	Examiner	Art Unit	
	MARCUS T. RILEY	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 April 2011*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11* is/are pending in the application.

4a) Of the above claim(s) *11* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *16 January 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This office action is responsive to applicant's remarks received on April 11, 2012. **Claims 1-10** are pending and **Claim 11** has been cancelled.

Response to Arguments

2. Applicant's arguments with respect to **claims 1-10**, filed on April 11, 2012 have been considered but they are not persuasive.

A: Applicant's Remarks

For applicant's remarks "See Applicant Arguments/Remarks Made in an Amendment" filed on April 11, 2012.

A: Examiner's Response

Applicant argues that the cited references either alone or in combination do not teach, disclose or suggest a control unit configured to select the application data for transmission from among the application data and the print data and to control the transmitting unit to transmit the application data but not the print data, identified using the specific index input by the index input unit, to another image processing apparatus when the designation unit designates the transmitting process as the data output method, and to select the print data for printing from among the application data and the print data and to control the printing unit to print an image on a sheet based on the print data but not the application data, identified using the specific index, when the

designation unit designates the printing process as the data output method, as recited by amended Claim 1.

Examiner understands Applicant's arguments but respectfully disagree. Nagashima '202 discloses at the Applicant's claimed limitations at Fig. 1, Data Control Section 1070, Fig. 5A & Fig. 5B, Steps S500-S511 and Paragraphs 0072-0081. For example, Figs. 5A and 5B is a flow chart showing the details of the printing process carried out by the coversheet generating section 1072 in Fig. 3. The data control section 1070 is comprised of a printer driver (not shown) that sends data to a designated address. The printer driver is a program that processes printing data generated by an application or the like so that the printing data can be processed by a printer.

Moreover, as shown in FIGS. 5A and 5B, in the printing process carried out by the coversheet generating section 1072, it is determined first in a step S500 whether or not the coversheet template registration process is to be carried out. If it is determined that the coversheet template registration process is to be carried out, the process proceeds to a step S501 wherein the coversheet template is registered in the registration file B in the information management DB 1073. In the step S502, it is determined whether or not the coversheet template selecting process is to be carried out. If it is determined that the coversheet template selecting process is to be carried out, the process proceeds to a step S503 wherein a desired coversheet template is selected from the registration file B in the information management DB 1073. In the step S504, a normal printing process is carried out and at step S505 wherein it is determined whether or not the coversheet template is to be used in generating printing data. If it is determined in the step S505 that the coversheet template is not to be used, the process proceeds to the step S511. In the step S511, text data to which the coversheet is added is expanded to

generate printing data with the coversheet. Therefore, Nagashima '202 discloses the Applicant's claimed invention. As a result, it is respectfully submitted that the present application is not in condition for allowance.

Claim Rejections - 35 USC § 101

(The previous claim rejection is withdrawn in light of the applicant's amendments.)

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. **Claims 1, 2 & 6-11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagashima '202 (US 2002/0122202 A1 hereinafter, Nagashima '202) in combination with Baharav et al. (US 6,751,352 hereinafter, Baharav '352).

Regarding claim 1; Nagashima '202 discloses an image processing apparatus (Fig. 1, #1000) comprising:

first input unit (Fig. 1, Input Section 1020) configured to input application data created by predetermined application software (Fig. 3, Step S1, Paragraph 0059);

wherein the application is usable by another image processing apparatus (i.e. Printing data is generated with a coversheet and the generated printing data is printed by the printing apparatus 2000 or is transmitted to the printing apparatus 3000. Paragraph 0058);

second input unit (Fig. 1, Input/Output Data Control Section 1030) configured to input print data suitable for printing (i.e. Input/Output Data Control Section 1030 sends print data to the Data Control Section 1070 suitable for printing. Paragraphs 0052 & 0056);

the print data being generated by converting the application data (i.e. The printer driver is a program that processes printing data generated by an application or the like so that the printing data can be processed by a printer. Paragraph 0056 & 0082);

registration unit (Fig. 2, #1073) configured to register both the application data and the print data (Fig. 2, Registration Files A&B) generated from the application data in a database (Fig. 2, Information Management DB) with a specific index (Fig. 6 & 7 i.e. Fig. 6 & 7 are diagrams showing the structure of data stored in the registration file with the specific index 1-3 and etc. "Registration File ID" and "Produces Files ID" 1-3 and etc. are the specific index associated with Registration Files A&B. Paragraphs 0056-0063);

wherein the application data and the print data are associated with each other by the specific index (i.e. "Registration File ID" and "Produces Files ID" 1-3 and etc. are the specific index associated with Registration Files A&B. Paragraphs 0056-0063);

a transmitting unit (Fig. 1, Cover Sheet Generating Section 1072) configured to transmit data to an external apparatus (i.e. Cover Sheet Generating Section generates data to be transmitted to the printing apparatus 2000 or 3000. Page 4, Paragraph 0058);

a printing unit (Fig. 1, Printers 2000 or 3000) configured to print an image on a sheet based on the print data (i.e. Printing data is generated with a coversheet and the generated printing data is printed by the printing apparatus 2000 or is transmitted to the printing apparatus 3000. Page 4, Paragraph 0058);

designation unit (Fig. 1, Printer Driver of Data Control Section 1070 - Not Shown) configured to designate a transmitting process or a printing unit as a data output method (i.e. The printer driver sends data to a designated address. The printer driver is a program that processes printing data generated by an application or the like so that the printing data can be processed by a printer. Paragraph 0056);

a control unit (Fig. 1, Data Control Section 1070) configured to select the application data for transmission from among the application data and the print data and to control said transmitting unit to transmit the application data but not the print data identified using the specific index input by said index input unit, to the other image processing apparatus when said designation unit selects designates the transmitting process as the data output method, and to select the print data for printing from among the application data and the print data and to control said printing unit to print an image on a sheet based on the print data but not the application data, identified using the specific index, when said designation unit designates the printing process as the data output method (Fig. 5A & Fig. 5B, Steps S500-S511 i.e. Figs. 5A and 5B is a flow chart showing the details of the printing process carried out by the coversheet generating section 1072 in Fig. 3. The data control section 1070 is comprised of a printer drive that sends data to a designated address. The printer driver is a program that processes printing data generated by an application or the like so that the printing data can be processed by a printer. Paragraph 0072-0081).

Nagashima '202 as modified does not expressly disclose discloses a scanning unit configures to scan a printed material on which a predetermined code is printed index input unit configured to analyze the predetermined code, which is printed on the printed material, and to input the specific index corresponding to the analyzed predetermined code.

Baharav '352 discloses a scanning unit (Fig. 1, Scanner 40) configures to scan a printed material (Fig. 1, Hard Copy 38) on which a predetermined code (Fig. 1, "L1" on Hard copy 38) is printed (i.e. Scanner 40 scans the predetermined code "L1" on Hard copy 38. Column 3, line 62 thru Column 4, line 51).

index input unit (Fig. 1, Barcode System 10) configured to analyze the predetermined code, which is printed on the printed material, and to input the specific index corresponding to the analyzed predetermined code (i.e The scan engine 44 receives a hard copy (e.g., a hard copy 38 or 54 with a first VSBC (L1) or a second hard copy 56 with a second VSBC (L2)), generates an acquired version 48 (e.g. a scanned version) of the received hard copy, and provides the acquired version 48 to applications, such as decoding module 24. Column 3, line 62 thru Column 4, line 51);

Nagashima '202 and Baharav '352 are combinable because they are from same field of endeavor of image processing apparatuses (Baharav '352 at Fig.1).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify image processing unit as taught by Nagashima '202 by adding a scanning and index input unit as taught by Baharav '352. The motivation for doing so would have been to permit the scanning of data to be converted to readable form. Therefore, it would have been obvious to combine Nagashima '202 with Baharav '352 to obtain the invention as specified in claim 1.

Regarding claim 2; Nagashima '202 discloses wherein said printing unit prints an image obtained by synthesizing the predetermined code and the print data input by said second input unit (Figs. 5A & 5B Steps S500-S511, Page 6, Paragraphs 0072-0079);

Regarding claim 6; Nagashima '202 discloses wherein when the output method designated by said designation unit is printing by said printing unit (i.e. Data Control Section 1070 transmits data to printing apparatus 2000 or 3000 to be printed. Page 4, Paragraph 0058);

said selecting unit selects the print data and causes said printing unit to print an image based on the print data (Figs. 5A & 5B Steps S500-S511, Page 6, Paragraphs 0072-0079).

Regarding claim 7; Nagashima '202 discloses when the output method designated by said designation unit is transmission by said transmission unit, said selecting unit causes said transmission unit to transmit the application data (Fig. 3, Steps S1-Steps S7 i.e. Printing data is generated with a coversheet and the generated printing data is printed by the printing apparatus 2000 or is transmitted to the printing apparatus 3000. Page 4, Paragraph 0058).

Regarding claim 8; Nagashima '202 discloses where the database is constructed by a terminal connected via a network (i.e. Fig. 1 Communication Network 4000, Page 4, Paragraphs 0051-0054).

Regarding claim 9 & 10; Claims 9 &10 contain substantially the same subject matter as claim 1. Therefore, claim 9 &10 are rejected on the same grounds as claim 1.

5. **Claims 3-5** are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagashima '202 (US 2002/0122202 A1 hereinafter, Nagashima '202) in combination with Ett (US 5,227,893 hereinafter, Ett '893).

Regarding claim 3; Nagashima '202 as modified does not expressly disclose wherein the predetermined code is expressed by a barcode.

Ett '893 discloses where the information representing the index is expressed by a barcode (See Fig. 5 where Fig. 5 shows a flow diagram for the reception of a facsimile image which contains the indexing/routing information in pseudo code bar form.).

Nagashima '202 and Ett '893 are combinable because they are from same field of endeavor of image processing apparatuses (Ett '893 at *"Summary"*).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify image processing unit as taught by Nagashima '202 by adding where the

information representing the index is expressed by a barcode as taught by Ett '893. The motivation for doing so would have been to permit the embedding of data needed for indexing, or further routing, within the image in machine readable form, which is transparent to the users. Therefore, it would have been obvious to combine Nagashima '202 with Ett '893 to obtain the invention as specified in claim 1.

Regarding claim 4; Ett '893 discloses where the predetermined code is expressed by a character string (i.e. Fig. 3 shows a typical string of bar codes in code 39, with a start character 78, data characters 80, a check data character 82, and a stop character 84. Column 6, lines 34-39).

Regarding claim 5; Ett '893 discloses where the predetermined code is expressed by each character spacing in a predetermined character string (i.e. Fig. 3 shows a typical string of bar codes in code 39, with a start character 78, data characters 80, a check data character 82, and a stop character 84. The start 78 and stop 84 characters are identical and contain information needed to define the widths of the bars and spaces in the ensuing code patterns. column 6, lines 34-39).

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARCUS T. RILEY whose telephone number is (571)270-1581. The examiner can normally be reached on Monday - Friday, 7:30-5:00, est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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